

SECTION-IX
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 11441, 11450, 11953, 12052 AND 12055 OF 2015

MAHARASHTRA STATE ELECTRICITY TRANSMISSION
COMPANY LTD.

....PETITIONER

-VERSUS-

THE COLLECTOR, AURANGABAD & ORS.

...RESPONDENTS

OFFICE REPORT FOR DIRECTIONS

SLP (C) NOS.11441 AND 11450 OF 2015

The matters above-mentioned were mentioned before the Hon'ble Court on 15th April, 2015 when the Court was pleased to pass the following Order:

**"Taken on Board.
Exemption from filing certified copy of the
impugned judgment and exemption from filing O.T.
are allowed.
Issue notice returnable in six weeks.
No stay."**

SLP (C) NO.11441 OF 2015

It is submitted that there are thirteen respondents in the instant matter. Accordingly, show cause notice was issued to all the respondents by registered A. D. post. Mr. Subodh S. Patil, Advocate has filed vakalatnama/appearance on behalf of respondent Nos. 5, 7, 8, 10, 11 and 13 but he has not filed counter-affidavit so far. A. D. cards duly signed have been received back from respondent Nos. 1, 6, 9 and 12 but no one has entered appearance on their behalf so far. Nothing has been received back from respondent Nos. 2 to 4.

Service of notice is not complete on respondent Nos. 2 to 4.

SLP (C) NO.11450 OF 2015

It is submitted that there are 252 respondents in the instant matter. Accordingly, show cause notice was issued to all the respondents by registered A. D. post. A. D. cards duly signed have been received back from respondent Nos. 1 to 4, 6, 8 to 26, 29, 30, 32 to 40, 42 to 48, 51 to 63, 67 to 72, 73 to 80, 82, 84 to 106, 108 to 112, 124, 125, 130 to 132, 135, 137 to 140, 142 to 149, 152, 159, 163, 166, 169 to 172, 174, 175, 177 to 181, 185, 192, 193, 201 to 211, 213, 214 to 218, 220, 222, 223, 225, 227, 230, 236 to 246 and 248 to 252 but no one has entered appearance so far. Neither A. D. cards nor

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unserved covers have been received back from respondent Nos.5, 7, 27, 28, 31, 41, 49, 50, 64 to 66, 81, 83, 107, 113 to 123, 126 to 129, 133 to 134, 136, 141, 150, 151, 153 to 159, 160 to 162, 164, 165, 167, 168, 173, 176, 182 to 184, 186 to 191, 194 to 200, 212, 219, 221, 224, 226, 228, 229, 231 to 235 and 247 so far.

Service of notice is not complete.

SLP (C) NO.11953, 12052 AND 12055 OF 2015

The matters above-mentioned along-with main matter were listed before the Hon'ble Court on 24th April, 2015 when the Court was pleased to pass the following Order:

"Heard learned counsel for the petitioner and perused the relevant material.

Exemption from filing O.T. as also exemption from filing c/c of the impugned judgment is granted.

Issue notice.

Tag with Special Leave Petition (Civil) No.11441 of 2015."

SLP (C) NO. 11953 OF 2015

It is submitted that there are seven respondents in the instant matter. Accordingly, show cause notice was issued to all the respondents by registered A. D. post. A. D. cards duly signed have been received back from respondent Nos. 2 to 6 but no one has entered appearance so far. Nothing has been received back from respondent Nos. 1 and 7.

Service of notice is not complete on respondent Nos. 1 and 7.

SLP (C) NO. 12052 OF 2015

It is submitted that there are fifty seven respondents in the instant matter. Accordingly, show cause notice was issued to all the respondents by registered A. D. post. Mr. Subodh S. Patil, Advocate has filed vakalatnama/appearance on behalf of respondent Nos. 4, 5, 24, 26, 28, 37, 41, 44, 46, 52, 53 and 56 but he has not filed counter-affidavit so far. A. D. cards duly signed have been received back from respondent Nos. 1, 2, 7, 8 to 15, 17 to 22, 25, 27, 29 to 32, 35, 36, 38 to 50, 51 and 57 but no one has entered appearance on their behalf so far. Nothing has been received back from respondent Nos. 3, 6, 16, 23, 33, 34, 51, 54 and 55 so far.

Service of notice is not complete on respondent Nos. 3, 6, 16, 23, 33, 34, 51, 54 and 55.

SLP (C) NO. 12055 OF 2015

It is submitted that there are eight respondents in the instant matter. Accordingly, show cause notice was issued to all the respondents by registered A. D. post. A. D. cards duly signed have been received back from respondent Nos. 1 to 5 but

no one has entered appearance so far. Nothing has been received back from respondent Nos. 6 to 8.

Service of notice is not complete on respondent Nos. 6 to 8.

Thereafter, the matters above-mentioned were listed before the Court of Registrar on 06th November, 2015 when the following Order was passed:

"SLP(C) NO.11441/2015

Service of respondent nos. 6,9 and 12 is complete but none has entered appearance.

Service report of respondent nos. 1 to 4 is still awaited.

Remaining respondents have filed vakalatnama. Counter affidavit be filed within four weeks time.

SLP(C) NO.11450/2015

Service of respondent nos. 1,3,4,6,8-10, 12-19,21-23, 29,32-33,35-40,42-44,47,48,51,53-58,62,69-72,74, 77,78,82,85,88,94-96,99,102,104,106,109-111,124, 125,130,131,135,137,143-145,147,148,159,163,166, 169-172,174,175,177-180,192,193,201,202,204-211, 214-218,220,222,223,237-240,248-252 is complete but none has entered appearance.

For remaining all unserved respondents, ld. Counsel for the petitioner to take fresh steps within four weeks time. Notices thereafter be issued.

SLP(C) NO.11662/2015

Service of respondent nos. 3,4,10,11,12 and 14 to 16 is complete but none has entered appearance.

It is still awaited for the remaining respondents.

SLP(C) NO.11953/2015

Service upon respondent nos. 3 and 5 is complete but none has entered appearance.

For the remaining all respondents, service report is awaited.

SLP(C) NO.12052/2015

Respondent nos. 1,7 to 9, 11 to 15, 17,18,24 to 33, 35,38 to 48, 53,56 and 57 have been duly served but none has entered appearance

Service upon respondent nos. 20 and 21 is also complete but none has entered appearance.

For the remaining all respondents, service report is awaited.

SLP(C) NO.12055/2015

A.D. cards with respect to respondent nos. 1 to 5 have been received as being duly served but none has entered appearance.

ld. Counsel for the petitioner still to file the process fee and to take steps to effect service on unserved respondent nos. 6 to 8. Be taken within four weeks time. Notices thereafter be issued.

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List again on 2.2.2016."

Thereafter, the matters above-mentioned were listed before the Court of Registrar on 15th July, 2016 when the following Order was passed:

"The ld. Counsel for the petitioner has filed an application for substituted service of all the unserved respondents. For the reasons stated in the application, application is allowed. Petitioner is allowed to effect service of the unserved respondents by way of publication in local daily, 'Lokmat' (Marathi) and in English daily, 'Lokmat Times'. Necessary steps be taken within six weeks time.

Service is complete in SLP(C) NO.11662/2015.

List again on 20.9.2016."

And lastly, the matters above-mentioned were listed before the Court of Registrar on 14th December, 2016 when the following Order was passed:

"Despite last opportunity having been granted affidavit with proof of publication in respect of unserved respondents has not been filed. As such, process the matter for listing before the Hon'ble Judge in Chambers for further directions along with appropriate office report showing status of all the respondents."

It is further submitted that counsel for the petitioners in all the matters has not filed affidavit with proof of publication in the newspapers in respect of all the unserved respondents in all the matters so far.

The office report for directions in the matters above-mentioned is listed before the Hon'ble Judge-in-chambers with this report.

Dated this the 16th day of February, 2017.

ASSISTANT REGISTRAR

Copy to:

Mr. M. Y. Deshmukh, Advocate

Mr. Subodh S. Patil, Advocate

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ASSISTANT REGISTRAR